



United States Department of State

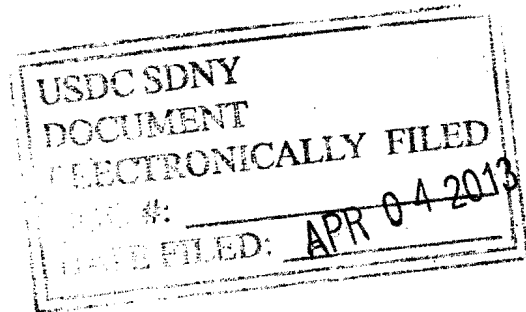
Washington, D.C. 20520

April 1, 2013

The Honorable Judge Laura Taylor Swain
U.S. District Court
Southern District of New York
500 Pearl Street
New York, NY 10007
Fax: 212-805-0426

RE: Ermini v. Vittori

Docket Number: 1:12-cv-06100-LTS



Dear Judge Swain:

It has come to our attention that you currently have a case in your court which has been brought pursuant to the 1980 Hague Convention on the Civil Aspects of International Child Abduction ("Convention") and for which a decision has not yet been issued. We write to inform you that, pursuant to Article 11 of the Convention, Mr. Emiliano Ermini OR the Central Authority of Italy has requested an urgent update on this matter and has inquired as to the reason for the delay.

For your information, **Article 11** states:

"The judicial or administrative authorities of Contracting States shall act expeditiously in proceedings for the return of children.

If the judicial or administrative authority concerned has not reached a decision within six weeks from the date of commencement of the proceedings, the applicant or the Central Authority of the requested State, on its own initiative or if asked by the Central Authority of the requesting State, shall have the right to request a statement of the reasons for the delay. If a reply is received by the Central Authority of the requested State, that Authority shall transmit the reply to the Central Authority of the requesting State, or to the applicant, as the case may be."

The 1980 Hague Convention on the Civil Aspects of International Child Abduction ("Convention") entered into force between the United States and Italy on May 1, 1995. The International Child Abduction Remedies Act, 42 U.S.C. § 11601-11610 (1988) ("ICARA") implemented the Convention in the United States.¹ The U.S. Department of State, Office of Children's Issues, performs the functions of the Central Authority for the United States under the Convention.²

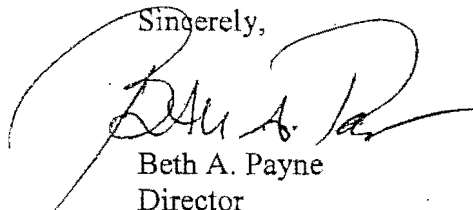
¹ U.S. Department of State regulations implementing the Convention and ICARA can be found at 22 C.F.R Part 94. The Convention is available at 51 Fed. Reg. 10503 (1986), and is a treaty of the United States within the meaning of Article II and VI of the U.S. Constitution.

² The U.S. Department of State, Office of Children's Issues, acts as the U.S. Central Authority for the Convention pursuant to the authority granted by Executive Order 12648 and 22 C.F.R § 94.2. The Central Authority carries out the functions ascribed to it in Article 7. See also fn 3.

After reviewing the information provided, we would appreciate it if you would advise Stephanie Cassano at the U.S. Department of State, Office of Children's Issues, 2100 Pennsylvania Avenue, N.W., SA-29, Washington, D.C. 20037, as to the status of the case. Please do not hesitate to contact Stephanie Cassano at 202-647-4891 if you have any further questions or need additional information.

Please note that this letter should not be construed by the court as constituting an opinion of the United States or the Department of State regarding the merits of the case. Our purpose is solely to apprise you of the Convention and of the request before you pursuant thereto, and to request expeditious consideration as required by Article 11 of the Convention. Should you have any questions or need additional information, please do not hesitate to contact Shannon Hines, Attorney Adviser, at HinesSO@state.gov or 202-736-9086.

Sincerely,



Beth A. Payne
Director
Office of Children's Issues

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Rocco Lamura, Esq.
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